694/590

Case 7:07-cy-07646-KMKnollecumseribing withed 98/28/2007 th Pragastownent, with whom I am personally acquainted, who being by me duly sworn said that he resided in the village of Monroe, N. Y., that he was acquainted with Mary J. Turfler, and knew her to be the person described in and who executed the said instrument; and that he saw her execute and deliver the same, and that she acknowledged to him, the said H. W. Knolle that she executed and delivered the same and that the said H. W. Knolle thereupon subscribed his name as witness thereto.

Ernest F. Eichenberg, Notary Public

A true record entered May 22, 1929 at 9 A. M.

For value Received I hereby grant to Orange and Rockland Electric Co., its successors or assigns, the right to erect and maintain its lines with the necessary poles or towers, wires, stubs, guys and anchors for carrying electrical current upon, over and across my lands in the Town of Warwick County of Orange State of New York in the following manner: Starting at the lands of Sherlock near Tenant house about 20 feet from fence along highway to the lands Together with the right to trim any or all trees or other obstructions to keep the said lines clear at least five feet.

Witness H. W. Knolle

Signed John W. Sanford --

State of New York

On this 21st day of May, 1929,

SS. County of Orange

before me, personally came H. W.

Knolle, subscribing witness to the within instrument, with whom I am personally acquainted, who being by me duly sworn said that he resided in the village of Monroe, N. Y., that he was acquainted with John W. Sanford and knew him to be the person described in and who executed the said instrument; and that he saw him execute and deliver the same, and that he acknowledged to him, the said H. W. Knolle, that he executed and delivered the same and that the said H. W. Knolle thereupon subscribed his name as witness thereto.

Ernest F. Eichenberg, Notary Public

A true record entered May 22, 1929 at 9 A. M.

Clerk.

July 25, 1928 For value received we hereby grant to Orange and Rockland Electric Co., its successors or assigns, the right to erect and maintain its lines with the necessary poles or wires, stubs, guys and anchors for carrying electrical current upon, over and across our lands in the Town of Monroe, County of Orange State of New York, in the following manner: To set poles along property Together with the right line and along roadway at Shawnee Park, Walton Lake. to trim any or all trees or other obstructions to keep the said lines clear at Signed N. S. Owens --

Case 7:07-cv-07648-KIM Document 1-13 Filed 08/28/2007 Page 2 of 12 ^{263.0}

State of New York

County of Orange SS.

me, personally came H. M. Foster subscribing witness with whom I am personally acquainted, to me known and known to me to be the subscribing witness to the foregoing instrument, who, being by me duly sworn, did depose and say that he resides in Roanoke Virginia, that he is personally acquainted with Frank and Mary E. Sloat and knows said persons to be the persons described in and who executed the foregoing instrument; that he, the said subscribing witness, was present and saw the said persons execute the same and that they severally duly acknowledged to him, the said subcribing witness, that they executed the same and that he thereupon subscribed his name as witness thereto.

Philip A. Rorty, Notary Public.

A true record entered March 18, 1936 at 4 P. M.

<u>Clerk.</u>

In consideration of the sum of \$1.00 paid to the undersigned by Central Hudson Gas and Electric Company, a corporation, the receipt whereof is hereby acknowledged, the undersigned hereby grants and conveys unto said corporation, its successors and assigns, in perpetuity, an easement and right of way 125 feet in width throughout its extent, in, upon, over and across the lands of the undersigned, including roads thereon and adjacent thereto, situated in the town of Warwick, County of Orange State of New York, the exact location thereof to be selected by said corporation after its final surveys have been made. Lines run in a northeasterly and southwesterly course across the lands of J. W. Sanford.

Together with the right at all times to enter thereon and to have access thereto and to construct, operate and maintain thereon and to repair, replace, protect and remove, lines of poles, towers, cables, cross arms, guys, brance and all other appurtenances or fixtures adapted to the present and future needs uses and purposes of said corporation, its successors, assigns and lessees. Together with the right also to trim, cut and remove at any time such trees and other objects thereon and on adjacent property of the undersigned as in the judgment of said corporation, its successors and assigns, may interfere with, obstruct or endanger the construction, operation or maintenance of said rights, lines and fixtures or any thereof.

RESERVING unto the undersigned the right to cultivate the ground between said poles and towers and beneath said wires and fixtures, provided that such use of said ground shall not interfere with, obstruct or endanger any of the rights granted as aforesaid; and provided that damage to the property owned by the undersigned caused solely by said corporation, its successors or assigns, in maintaining or remaining said lines shall be adjusted at the armores of said

or of the cornoration, become in all respects void and of no effect. The provisions hereof shall apply to and bind the heirs, legal representatives, successors and assigns, of the undersigned and said corporation, respectively. Signed, sealed and delivered on October 30th. 1925.

In the presence of Louise Martin

John W. Sanford L. S. Residing at darwick, New York

H. L. Foster

Bertha F. Sanford L. S.

State of New York

On this 27 day of February 1926, before me perCounty of Grange SS. sonally came H. M. Foster, subscribing witness
with whom I am personally acquainted, to me known and known to me to be the subscribing witness to the foreging instrument, who being by me duly sworn, did depose and say that he resides in Roanoke, Virginia, that he is personally acquainted with John N. & Bertha F. Sanford, and knows said persons to be the persons
descirbed in and who executed the foregoing instrument; that he, the said subscribing witness, was present and saw the said persons execute the same and that
they severally duly acknowledged to him, the said subscribing witness, that they
executed the same, and that he thereupon subscribed his name as witness thereto.

Philip A. Rorty, Notary Public.

A true record entered March 18, 1926 at 4 P. M.

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Together-with the right at all times to enter thereon and to have access thereto and to construct, operate and maintain thereon and to repair, replace, protect and remove, lines of poles, towers, cables, cross arms, guys, braces, and all other appurtenances or fixtures adapted to the present and future needs, uses and purposes of said corporation, its successors assigns and lessees. Together with the right also to trim, cut and remove at any time such trees and other objects thereon and on adjacent property of the undersigned, as in the judgment of said corporation, its successors and assigns, may interfere with, obstruct or endanger the construction ensembles and in the successors and assigns.

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Case 7:07-cv-07/646-KM/6/ Document 1-13 Filed 08/28/2007

U C P

Page 4 of 12 263.07

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Together-with the right at all times to enter thereon and to have access thereto and to construct, operate and maintain thereon and to repair, replace, protect and remove, lines of poles, towers, cables, cross arms, guys, braces, and all other appurtenances or fixtures adapted to the present and future needs, uses and purposes of said corporation, its successors assigns and lessees. Together with the right also to trim, cut and remove at any time such trees and other objects thereon and on adjacent property of the undersigned, as in the judgment of said corporation, its successors and assigns, may interfere with, obstruct or endanger the construction, operation or maintanance of said corporation.

SUPREME	COURT	OF	THE	STATE	OF	NEW	YORK
COUNTY C	אמסח דו	CF					

Index No.:7228/93

ADAM J. FILIPOWSKI and TINIE FILIPOWSKI,

Plaintiff(s),

-against-

STIPULATION DISCONTINUING WITH PREJUDICE

JOHN W. SANFORD & SON, INC., and copartners, JOHN W. SANFORD, III and R. ERIC NILSESTUEN, and SIXTY-EIGHT MAIN STREET REALTY COMPANY,

Defendant(s).

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, the attorneys of record for all the parties to the above entitled action, that whereas no party hereto is an infant or incompetent person for whom a committee has been appointed and no person not a party has an interest in the subject matter of the action, the above entitled action be, and the same hereby is discontinued with prejudice, without costs to any party as against the other. This stipulation may be filed without further notice with the Clerk of the Court.

Dated: Elmsford, New York March 2, 1995

Leal S. Crun GERALD G. COWEN, ESQ. Attorney for Defendants 570 Taxter Road Elmsford, NY 10523

ADAM J. FILIPOWSKI, ESQ. Plaintiff Pro Se P.O. Box 412 Monroe, NY 10950

Stork of Now Yoll ConfoRANGET. the 11.7 day of July 5) by Adam I Filymulle.

Jan 12 moule

Action taken. 0 Not on Calendar Thomas W. Adams mid Olerk

JOAN P. MACEDA Notary Public, State of New York Qualified in Orange County Commission Expires April 30, 19 42 90V 95.

ORANGE COUNTY CLERK

OBANGE <u>COUNT</u>Y CLERK

733843

Suppose Court of f · Sew York Jenny M Crange

June 17 1994

Adam T. Filmor shi and Tinie H Filmowski Plaintiff.

Index # 7228/93

John W So. Jord and son Inc. and classarthers, John W Sanfowd, III and R. Eric Nitsestumn and Sixty Bight 1 Fin Realty Company

Defencants

Sirs:

Te Adam J. Filipowski and Tinie H Filipowski reside ant 25 Roand Lake Ave. Monroe New York . , County of Orange.

We believe that John W Sanford and son Inc and co-partners John W. Sanford III and R. Eric Nilsastuen and Sixty Eight Main Realty Company live and or maintain a business in the Town of Warwick (Village of Warwick) county of Orange State of New York.

On or about Nov 13 1990 I tripped on the sidewalk which was improperly maintained and owned by the defendants and which trip caused me to injure my back.

Thave since incurred medical expenses in excess of \$4,000.00 which have been previously submitted to the defendants Insurance company per instructions and wish to be reimbursed for same.

These injuries have limited my ability to walk without pain and suffering as well as other aspects of life.

Adam J. Filipowski suffered extreme pain from August until December of 1991 when as a result of this injury I could not walk, ride a bike, play golf, or have normal relationships with my wife.

The injury has caused permanent numbness to the left shin with unending back pain and I wish to be reimbursed for any future medical bills resulting from the accident. I also demand that the defendants fix the sidewalk in compliance with the Village Code to prevent future injuries to others as a result of this poorly maintained sidewalk, as this condition still persists in its dangerous and defective condition.

Yours,

State of New York

County of Orange

Sworn to before me this 2/37 day of

JUNI 1994 Et MANIRUE

BRUCE L. HOINS Notary Public, State of New York Qualified in Orange County Reg. No. 01-HO 1830900 Commission Expires Sant. 30, 19

Case 7:07-cv-07646-K cumeno 1.13 Filed 98/28/2007 Page 9 of 12 7328/93 Se Arm Is " DATE: and a back of Head We have to the expression of the transfer of the the mean the first of the second of the seco June Commission with the property of

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and alinear out to ever the control of a control the first type course and how a continuous with the

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Yours,

State of New York

County of Orange

Sworn to before me this 2/57 day of JUNI 1994 ET MONRUE N.Y.

64-FKMKOFDQRANGE3COUNTW8/28/2007 Page 10 of 12 Application for INDEX NUMBER pursuant to Section 8018 of CPLR ベ SUPREME 7228-98 COUNTY COURT FEE Space below to be TYPED or PRINTED by Applicant **FULL TITLE OF ACTION OR PROCEEDING** Adam J. Filipouski And TINIE H. Filipousk. John W. SANTOND & Son, Inc. And Co-PANTHERS. John W. SANTOND ITT & P. ERIC No ISESTYER X Name and Address of Attorney for Plaintiff or Petitioner Name and Address of Attorney for Defendant or Respondent Name of Applicant SUBMITTED PAPERS ARE: (Please check below) _ Summons & Complaint ____ Order to Show Cause X Summons w/Notice Poor Person Afft./Atty's Cert. Notice of Petition __ Other: ____ Petition THIS FORM MUST BE COMPLETED AND SIGNED BY APPLICANT:

PACE BELOW FOR OFFICE USE ONLY

**** EDUCATION FUND:

5.00 ****

***** SERIAL NUMBER:

****** 855500

.-93 10:21 914-761-1945

PAGE 01

C 198-Summons with Notice, Supreme Court, Personal or Substituted Service. p.71 PREHENDE SHAAR WAJ, INCH, BARRAUJE BULLUE YE. 1561 THEIRYGO BACHANGE PLACE AT BACADWAY, NEW YORK

Supreme Court of the State of Nem Fork

County of ORANGE

ADAM J. FILIPOWSKI and IINIE FILIPOWSKI,

Index No. 7 2 2 8 - 9;

Plaintiff(s) designates

Orange
County as the place trial

The Sasis of the venue is

Plaintiff(s)

Defendant(a)

assinst

JOHN W. SANFORD & SON., INC., and Re-PARTIERS, JOHN W. SANFORD, III & R. ERIC Nilsestuen & Sixty-eight MAIN REALLY Company

Summons with Antice

Plaintiff resides at Round Lake Road Monroe, New York

County of Orange

To the above named Defendant(a)

GIN HTP herein authorited to answer the complaint in this action and to serve a copy of your answer, or, if the complaint is not served with this summons, to serve a notice of appearance, on the Plaintiff's Attorney(s) within 20 days after the service of this summons, exclusive of the day of service (or within 30 days after the service is complete if this summons is not personally delivered to you within the State of New York); and in case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded in the complaint.

Dated, November 11, 1993

Defendant's Address:

66-68 Main Street

Warwick, New York 10990

ADAM J. FILIPOWSKI

AND HOSP SAME STREET PRO SE

Office and Post Office Address

P.O. Box 412

Notice: The object of this action is

recovery of money damages due to negligence.

Monroe, New York 10950

The relief sought is money damages.

Upon your failure to appear, judgment will be taken against you by default for the sum of \$ 1,000,000.00 with interest from November 13, 19 93 and the costs of this action.

Afficients of Service

State of New York, County of

a party to the action, is over 18 years of age and regides being duly sworn, deposes and says; that deponent is not

That on

at No. 5 deponent served the within summons and complaint on

Chart applicable bax ([]) and St. h. bara

defendant therein named, by delivering a true copy of each to said delendant personally; deponent knew the person so served to be the person described as said defendant PERSONAL SERVICE ON INDIVIDUAL

PERSONAL SERVICE ON CORPORATION

herein.

therein named, by delivering a true copy of each to personally; corporation, a defendant

deponent knew said corporation so nerved to be the corporation described in eard summons as said defendant and thereof knew said individual to be

ALTERNATIVE METHOD ISUITABLE AGE PERSON! by delivering a true copy of each to

a person of suitable age and discretion at No.

dwelling bouse - usual place of abords -- within the state. Personent also enclosed same in a pastpaid scaled wrapper property addressed to said defendant at defendant's last m. on said day, said premises heing delembant's-actual place of businesso'clock known residence, No. and deposited said wrapper in-a post affice-official depositiony under the exclusive care and ensuity of the United States pust office department within New York States.

Deponent attempted to write a true copy of each by ALTERNATIVE METHOD LAFFIXING TO DOOR, ETC.) personal delivery upon the defendant

On calling there

and ADAM J. FILIPOWSKI

٠

Supreme Court of the State of New York

Index No.

ä

County of ORANGE

TINIE FILIPOWSKI

Plaintiff S

ag minst

SANFORD & SON, INC., and Completes.
SANFORD, III & R. E. C. C. Chan Sestuen 4 Sixty JOHN W. JOHN W.

Motter

Summons with

Attornep(s) for Plaintiff

Office, Post Office Address and Tel. No.

That personal delivery service could not be made with due diligence upon the said defendant and therefor ing house-usual place of abotic-within the state. affixed a copy of same to the door of mid premises which is defendant's -- actual place of business -- dwell deponent on

Deponent also enclosed a copy of ame in a pratecid

maked wrapper properly addressed to said defendant

at defendant's last known residence, No.

depository under the exclusive care and custody of the United States post affice department within New and deposited said wrapper in-a post office-official York Smte.

Sworn to before me this chy of

2

[8]

02:08:43 11/12/93 ORG EDUCATION FUND: SERIAL NUMBER: 54065

165.00

5.00 *********

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